

EXHIBIT A

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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IN RE COLUMBIA UNIVERSITY TUITION
REFUND ACTION

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: Lead Case No. 1:20-cv-03208 (JMF)
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**DECLARATION OF THOMAS J. McKENNA IN SUPPORT OF PLAINTIFFS'
MOTION FOR AN AWARD OF FEES AND EXPENSES**

I Thomas J. McKenna declare as follows:

1. I am a member of Gainey McKenna & Egleston ("GM&E"). GM&E is counsel of record for Plaintiffs Chris Riotta, Lisa Guerra and Alexandra Taylor-Gutt (now court-appointed "Settlement Class Representatives") in the class action filed in the Southern District New York, captioned *In re Columbia University Tuition Refund Action*, Case No.: 1:20cv1:20-cv-03208 (the "Action"). The testimony provided herein is based on my own personal knowledge, information and belief and, if called upon, I could and would competently testify thereto.

2. I submit this declaration in support of Plaintiffs' Motion for an Award of Fees and Expenses in the above-referenced action.

3. My firm seeks attorneys' fees and reimbursement of expenses for the work performed as counsel of record for the above-mentioned Settlement Class Representatives. My firm undertook this representation against Columbia University ("Columbia") on a wholly contingent basis, with the understanding that we would receive no compensation, and our expenses would not be reimbursed, unless our efforts resulted in the recovery for the benefit of the Class that has been preliminarily certified by this Court. None of the attorneys' fees and expenses submitted to this Court has been paid from any source or have been the subject of any prior request or prior award in any litigation or other proceeding.

4. My firm acted as counsel for the Settlement Class Representatives and prosecuted their claims on their behalf. The specific work my firm actively engaged in during the prosecution of the above-captioned actions included: (1) engaging in extensive investigation and other litigation efforts throughout the prosecution of the Action, including, *inter alia*: (1) researching and drafting the initial complaints in the Action and the amended complaints; (2) researching the applicable law with respect to the claims in the Action and the potential defenses thereto; (3) opposing Columbia's motion to dismiss; (4) actively participating in similar College and University class actions filed around the country; (5) engaging in extensive settlement discussions with Columbia's Counsel; (6) reviewing non-public information as to the amount and types of non-refunded fees in issue; (7) analyzing the potential damages suffered by the Class; (8) negotiating the proposed Settlement; (9) drafting the Stipulation of Settlement and related exhibits; (10) drafting the motion for preliminary approval of the Settlement; (11) retaining and working with the Claims Administrator and Defendant to formulate the notice plan to the Class and the manner of distribution of the Net Settlement Fund; (12) and drafting the motion for final approval of the settlement; and (13) communications throughout with the Named Plaintiffs, the prior plaintiffs who withdrew from the Action and members of the proposed Class.

5. From the inception of the Action through the present, GM&E devoted 511.20 hours to the litigation, representing total lodestar of \$430,502.75. GM&E's lodestar was prepared from contemporaneous, daily time records prepared and maintained by the firm. GM&E's hourly rates, as reflected in the chart in paragraph 6 below, are GM&E's current and customary rates. These rates are set based on market rates for attorneys of comparable skill and experience, and they have been approved by federal and state courts throughout the nation,

including this Court.

6. The chart below summarizes the hours, hourly rates, and lodestar of each GM&E professional who worked on this matter:

NAME	POSITION	HOURS	RATE	TOTAL
Thomas J. McKenna	P	279.90	\$895	\$250,510.50
Gregory M. Egleston	P	195.20	\$875	\$170,800.00
Noemi Rivera	SPL	26.05	\$295	\$7,684.75
Rebecca Ramotar	PL	8.55	\$150	\$1,282.50
Michael Fieri	PL	1.50	\$150	\$225.00
TOTAL HOURS		511.20	TOTAL LODESTAR	\$430,502.75

(P) Partner; (SPL) Senior Paralegal; (PL) Paralegal

7. I supervised and worked directly with the professionals who spent time on this matter. I can aver that the hours reported and the work they reflect were reasonably necessary to the successful commencement, prosecution, and settlement of the claims.

8. GM&E incurred a total of \$1,185.08 in unreimbursed expenses in connection with the prosecution of the above referenced actions, as summarized in the chart below:

CATEGORY	TOTAL
Court Filing Fees	\$400.00
Online Legal Research and Document Retrieval Fees	\$276.62
Outside Services	\$75.00
Photocopies	\$282.20
Telephone & Facsimile	\$71.11
Postage/Fed Ex/Courier	\$27.65
Travel/Parking/Meals	\$52.50
TOTAL EXPENSES	\$1,185.08

9. These expenses are reflected in records maintained by my firm in the ordinary course of business. These records are prepared from expense vouchers, invoices, and other records submitted contemporaneously as they are incurred. I have reviewed the expense records in detail and can aver that they were reasonably necessary for the effective and efficient prosecution and resolution of the claims, and they are reasonable in amount.

10. As set forth in GM&E's firm résumé, a true and correct copy of which was attached at ECF No. 86-3, the attorneys primarily responsible for participating in the prosecution of the above captioned Action are experienced and skilled advocates.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed this 4th day of February 2022, at New York, New York.

/s/ Thomas J. McKenna
THOMAS J. McKENNA